

# MANDATE

## UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 4th day of March, two thousand twenty-two.

Before: Debra Ann Livingston,  
*Chief Judge,*  
Dennis Jacobs,  
Steven J. Menashi,  
*Circuit Judges,*

USDC SDNY  
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DATE FILED: May 17 2022

In Re: New York City Policing During Summer 2020  
Demonstrations

### JUDGMENT

Docket No. 21-1316

Jarrett Payne, Andie Mali, Camila Gini, Vidal Guzman, Charlie Monlouis-Anderle, Jaime Fried, Micaela Martinez, Julian Philips, Nicholas Mulder, Colleen McCormack-Maitland, Vivian Matthew King-Yarde, Charles Henry Wood, on behalf of himself and all others similarly situated, People of the State of New York, by Letitia James, Attorney General of the State of New York, Adama Sow, David Jakevic, Alexandra De Mucha Pino, Oscar Rios, Barbara Ross, Matthew Bredder, Sabrina Zurkuhlen, Maria Salazar, Dara Pluchino, Savitri Durkee, on behalf of themselves and others similarly situated, Samira Sierra, Amali Sierra, Ricardo Nigaglioni, Alex Gutierrez, individually and on behalf of all others similarly situated, Cameron Yates,

*Plaintiffs-Appellees,*

v.

City of New York, New York Police Department, Mayor Eric Adams, in his official capacity, Bill De Blasio, in his individual capacity, Police Commissioner Keechant L. Sewell, in her official capacity, Dermot Shea, in his individual capacity, Chief of Department Kenneth E. Corey, in his official capacity, Terence Monahan, in his individual capacity, Sergeant Gypsy Pichardo, Sergeant Keith Cheng, Officer Matthew Tarangelo, Officer Matthew L. Perry, Lieutenant Thomas R. Hardell,

MANDATE ISSUED ON 05/17/2022

Officer Damian Rivera, Officer Jacqueline Vargas,  
Lieutenant Michael Butler, Officer Aaron Husbands,  
Officer Joseph Deck, Officer Thomas E. Manning,

*Defendants - Appellees,*

Officers John Does 1-32, Officers Jane Does 1-2, Officer  
John Does 1-26, Officer Jane Doe 1, Officer Doe  
Esposito, Sergeant Doe Caraballo, Officer Ismael  
Hernandez Carpio (NO.19759), John/Jane Does 1-10,  
Detective Edward Carrasco (NO. 1567), Officer Talha  
Ahmad (NO. 21358), Officer Kevin Agro (NO. 8054),  
Officers John/Jane Does 1-40, Umid Karimov, in his  
individual capacity, Alfredo Jeff, in his individual  
capacity, Debora Matias, in her individual capacity,  
Andre Jeanpierre, in his individual capacity, Kenneth C.  
Lehr, in his individual capacity, Fausto Pichardo,

*Defendants,*

Police Benevolent Association of the City of New York,  
Inc.,

*Proposed Intervenor-Defendant-Appellant.*

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The appeal in the above captioned case from an order of the United States District Court for the Southern District of New York was argued on the district court's record and the parties' briefs. Upon consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the district court's judgment denying intervention under Federal Rule of Civil Procedure 24(a) as to *Payne v. DeBlasio*, No. 20-CV-8924; *People of the State of New York v. City of New York*, No. 21-CV-322; *Sow v. City of New York*, No. 21-CV-533; and *Sierra v. City of New York*, No. 20-CV-10291, is REVERSED. The district court's judgment denying intervention under Federal Rules of Civil Procedure 24(a) and (b) as to those litigations within the consolidated actions that seek only damages (*Yates v. New York City*, No. 21-CV-1904; and *Wood v. City of New York*, No. 20-CV-10541) is AFFIRMED.

For the Court:  
Catherine O'Hagan Wolfe,  
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

 

 